

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

THE HON'BLE SRI JUSTICE N.V.RAMANA

Writ Petition No.5407 of 2007

DATED 16.3.2007

BETWEEN

B.Jawaharlal

.. Petitioner

And

The Divisional Panchayat Officer,
Kothagudem, Khammam District
and 2 others.

.. Respondents

THE HONOURABLE SRI JUSTICE N.V.RAMANA

WRIT PETITION NO.5407 of 2007

ORDER:

This writ petition is filed seeking a writ of mandamus declaring the action of the 3rd respondent in not allowing the petitioner to discharge his duties as Panchayat Clerk as arbitrary and illegal.

Learned counsel for the petitioner submits that though the petitioner is entitled to continue as Panchayat Clerk till 31.3.2007, the 3rd respondent is not allowing him to discharge his duties. He relies upon a memo dated 5.9.2006 issued by the Commissioner,

Panchayat Raj whereunder it is stated that the contract employees should not be removed without obtaining orders from the higher authorities.

Learned Government Pleader for Panchayat Raj submits that if really the 3rd respondent is not allowing the petitioner to discharge his duties, he should have brought the same to the notice of the higher authorities and instead he has straight away approached this Court under Article 226 of the Constitution of India.

In the circumstances, without going into the merits of the case, the writ petition is disposed of directing the petitioner to make a representation to the 1st respondent – Divisional Panchayat Officer who shall consider the same and pass appropriate orders in accordance with law..

N.V.RAMANA,,J

Dt: 16.3.2007
msv.